

ffiled Single Bench

3

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR  
(C.G.)

WRIT PETITION NO. 365/2005

PETITIONER

P.R. No. 1430/05  
Presented by Shri. A.T. Mehta  
dated 02-02-05

R.S. Sai, aged about 34 years,  
son of Shri Kaleshwar Sai,  
occupation - Excise Sub  
Inspector, Posted at Ware  
House, Dhamtari, District  
Dhamtari (Chhattisgarh)  
residence of village Pandripani,  
Tah. Kunkuri, Distt. Jashpur  
(Chhattisgarh)

VERSUS

RESPONDENTS



RECEIVED  
2.2.05  
GIA to A. S. Bhasani

1. State of Chhattisgarh,  
through : the Secretary,  
Department of Excise,  
D.K.S. Bhawan, Raipur  
(Chhattisgarh)
2. The Excise Commissioner,  
Department of Excise, Dau  
Kalyan Singh Bhawan,  
Raipur, Chhattisgarh.
3. The District Excise Officer,  
Department of Excise,  
District Dhamtari, C.G.
4. The Collector, District -  
Dhamtari, Chhattisgarh.

WRIT PETITION UNDER ARTICLES 226/227 OF THE  
CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN  
THE NATURE OF MANDAMUS ETC. AND FOR APPROPRIATE  
ORDER

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 12.P.No. 365 सन् 2005

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक<br>तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार<br>के अंतिम आदेश |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
|                                    | <p><u>16.02.2005</u></p> <p>Shri Vinay Pandey, learned counsel for the petitioner.</p> <p>Shri U.N.S. Deo, Government Advocate appears for the State/ respondents no. 1 to 4 on advance copy.</p> <p>I.A.NO.769/2005 for urgent hearing is allowed.</p> <p>Heard.</p> <p>Learned counsel for the petitioner submits that the petitioner has challenged the validity and legality of the order dated 24.01.2005 passed by the Collector, Dhamtari by which the petitioner has been sent from Warehouse, Dhamtari to the town circle Dhamtari. It is not disputed by learned counsel for the petitioner that both the place of postings are in the township of Dhamtari. It seems to be a local arrangement on the basis of some administrative convenience. In the opinion of this court, such an action does not give rise any cause of action in favour of the petitioner to file such a petition.</p> <p>Learned counsel for the petitioner tried to bring the order within the ambit of a transfer of the concerned employee. I am not inclined to entertain such submission as the order cannot be said to be a transfer order. The petition has no merit. It is dismissed at the motion stage without issuing notice to the other side.</p> <p>Consequently, M.W.P.No.317/2005 for grant of interim relief stands rejected.</p> | <p>Sd/-<br/>Sunil Kumar Sinha<br/>Judge</p>              |

1 Ro-o/